

CODE: AB.AR**EFFECTIVE DATE:** (02-06-1997)**TOPIC:** Dispute Resolution and Appeal Processes**ISSUE DATE:** (08-07-2025)**REVIEW YEAR:** (2032)

OBJECTIVE

To provide clarity and direction to Division staff, parents/guardians, and students relevant to school-level disputes and appeals, in adherence to the requirements of the *Education Act*, as may be amended from time to time, and to the direction outlined in Board Policy AB.BP Dispute Resolution and Appeals.

DEFINITIONS

Party, for the purpose of this regulation, refers to a parent/guardian of a student or child, or in the case of the student who is 16 years of age or older, either a parent/guardian of the student or the student.

Please refer to Board Policy AB.BP Dispute Resolution and Appeals for terms not otherwise defined in this regulation.

REGULATION

The Division's dispute resolution and appeals processes will be used for school-level issues and staff decisions not already addressed through separate processes outlined in other board policies, administrative regulations, procedures and guiding documents.

A. DISPUTE RESOLUTION PROCESS

The Division uses a multi step process to resolve disputes. The steps outlined in Sections A(1) and A(2) are informal and centered around dialogue, listening and working towards resolution at the school level. Section A(3) transitions to the formal approach, with the submission of the concern in writing to the school, and is used only when resolution has not been achieved through the informal process outlined in Sections A(1) and A(2).

The Division expects the use of respectful, collaborative, fair and ethical approaches to resolve disputes at the school level.

1. Disputes must first be raised by a parent/guardian or student to staff directly involved in the issue or decision in question. If a dispute is first raised with a Trustee or staff member not directly involved in the issue, the dispute will be referred to the staff member who is directly involved.
2. If attempts to resolve the dispute in Section A(1) have been unsuccessful, the party will discuss the issue or decision in question with the staff member's immediate supervisor.
3. If attempts to resolve the dispute have been unsuccessful in Sections A(1) and A(2), and the party wishes to begin the process for formal dispute resolution, the party must submit in writing a request to the principal.

- a. The principal will review the written submission, make a decision and endeavour to communicate the decision and the reasons for it in writing to the party within 60 operational days. For decisions that will take longer, the party will be notified of the extension. A decision made by the principal is considered final for all disputes not eligible for appeal under Section 42 of the *Education Act*.
4. In cases where the staff member directly involved in the dispute is the principal, the party who wishes to begin the process for formal dispute resolution must submit in writing a request to the Assistant Superintendent.
 - a. The Assistant Superintendent will review the written submission, make a decision and endeavour to communicate the decision and the reasons for it in writing to the party within 60 operational days. For decisions that will take longer, the parties will be notified of the extension. A decision made by the Assistant Superintendent is considered final for all disputes not eligible for appeal under Section 42 of the *Education Act*.

B. DECISIONS ELIGIBLE FOR APPEAL

1. In alignment with Section 42 of the *Education Act*, only the following decisions are eligible for appeal:
 - a. Decisions that significantly affect the education of a student or of a child enrolled in a Division early childhood education program.
 - b. Decisions respecting access to, accuracy or completeness of a student record, which may only be appealed by a person who may review a student record as per Section 56 of the *Education Act*.
 - c. The Division's failure to make a decision respecting 1(a) and/or 1(b).
2. With respect to Section B(1)(a), decisions that are subject to appeal include, but are not limited to:
 - a. Provision of and access to specialized supports and services.
 - b. Access to enrolment at a particular school or program.
 - c. Eligibility for and access to transportation services.
3. Decisions not subject to appeal, include, but are not limited to:
 - a. Student academic assessment and performance.
 - b. Student suspensions and expulsions.
 - c. Learning and teaching resources.
 - d. Human resources matters.
 - e. Trustee conduct and Board governance matters.

C. APPEAL PROCESS

1. An appeal process is initiated when an eligible appeal, as outlined in Section B of this regulation, is made in writing by the party to the Superintendent within 30 operational days from when the principal or the Assistant Superintendent, as the case may be, informed the party of the decision.
2. The Superintendent or designate will review the information provided in writing by the party and the principal or the Assistant Superintendent, as the case may be, and will endeavour to communicate the decision with the parties within 60 operational days. For decisions that will take longer, the parties will be notified of the extension.
3. The Superintendent or designate will issue a written decision including reasons for the decision.

REFERENCES

AB.BP Dispute Resolution and Appeals
CHA.BP Board Delegation of Authority
DEA.BP Student Transportation
DEA.AR Transportation Services
FA.BP Human Resources Framework
FBCA.AR Respectful Working Environments
FBCB.AR Division Staff Code of Conduct
FBM.AR Grievance Process
FGCA.AR Supervision and Evaluation of Teachers
FGCB.AR Supervision and Evaluation of Exempt Non-Management Staff
FGCC.AR Supervision and Evaluation of Custodial, Maintenance and Support Staff
GI.AR Learning and Teaching Resources
GK.BP Student Assessment, Achievement and Growth
GKB.AR Standards for Evaluation
HA.BP Inclusive Education
HA.AR Students in Need of Specialized Supports and Services
HB.AR Student Placement
HC.BP Resident Student Enrolment
HC.AR Student Admission and Enrolment
HEC.BP Non-resident Student Admission and Enrolment
HED.BP Student Attendance
HED.AR Student Attendance
HG.BP Student Behaviour and Conduct
HG.AR Student Behaviour and Conduct
HGD.BP Student Suspension and Expulsion
HGD.AR Student Suspension and Expulsion
HO.AR Student Records
Education Act Sections 42, 43, 52
Trustees' Handbook